

REMARKS

The Examiner has required restriction to one of the following inventions:

I. Claims 1-13, drawn to a product (CIC and compositions), classified in class 536, subclass 23.1.

II. Claims 14 and 15, drawn to method of modulation an immune response, classified in class 514, subclass 44.

Applicants hereby elect Group I (Claims 1-13), without traverse.

The Examiner also requires an election of species. The Office Action states that Applicants must elect a single combination of defined moieties (N, X and nonnucleic acid spacer moiety) if Group I is elected for examination.

Applicants elect the nucleic acid species 5'-TCGTCGA and nonnucleic acid spacer moiety HEG for searching purposes. The claims readable on this species are claims 1, 3, 4 and 11-13. Applicants note that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species. Applicants request that, upon the allowance of a generic claim, the remainder of the species be included as permitted by 37 C.F.R. §1.141(a).

Applicants request rejoinder of withdrawn method claims 14 and 15 upon allowance of the product claims from which they depend, in accordance with MPEP §821.04.

Applicants expressly reserve their right under 35 U.S.C. § 121 to file a divisional application directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application.

Applicants hereby request examination of the elected subject matter on the merits.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 377882002021. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 3, 2006

Respectfully submitted,

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